

REMARKS

This Response is submitted in reply to the Office Action dated June 9, 2006, issued in connection with the above-identified application. Claims 1-3 and 5-26 are all the claims pending in the application. Claim 4 was previously canceled without prejudice. With this Response, Claims 1-2, 5-8, 11, 14 and 21 have been amended and Claims 27-28 are added. However, no new matter has been introduced by the amendments made to the claims and supports is provided at least by Page 9, Lines 20 – Page 11, Line 10 of the specification. Thus, entry and favorable reconsideration are respectfully requested. The Commissioner is authorized charge deposit account no. 02-1818 for any fees which are due and owing.

Interview

Applicant thanks Examiner Tran for granting a telephonic interview on August 8, 2006. Examiner Tran and Applicant's representative, MacLane C. Key, were in attendance. Agreement was not reached; however, Examiner Tran indicated that the amendments made in this response and direction to paragraphs in the specification which will help her to understand the difference between "right-information" and "right code" would likely overcome the indefiniteness based rejections. Examiner Tran also indicated that she would give further consideration to whether transferring right-information between users would overcome rejections based on U.S. Patent No. 6,085,976 ("Sehr").

Rejections

The Office Action rejected Claim 1-3 and 5-26 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office Action states that multiple uses of the word of words "right" or "right-information" renders the claims indefinite because the term "right" is not definite. Applicant respectfully disagrees and submits that one of ordinary skill in the art would understand the term "right." Further, it is respectfully submitted that one of ordinary skill in the art would understand the terms "right-information" and "right code," at least upon reading Page 3, Lines 17-22 and Page 9, Lines 20 – Page 11, Line 10 of the specification. However, Applicant has amended the claims to correct a typographical error which resulted in some instances of "right information" and other instances of "right-information." For at least

these reasons, it is respectfully submitted that Claims 1-3 and 5-26 are not indefinite, and it is respectfully requested that these rejections be withdrawn.

Claims 1-3 and 5-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr. The Applicants traverse the above rejections for at least the following reasons.

Sehr is directed to travel system and method that includes a plurality of service providers and a multi-application passenger card, wherein the passenger card can be an IC card. The IC card allows a single passenger to purchase and use a plurality of travel related goods and services via the passenger card. The Office Action states that Sehr discloses transferring rights from card to card. Col. 20, Line 65 - Col. 21, Line 2. However, it is respectfully submitted that Sehr discloses only that card data can be input to a card from another card. It is further respectfully submitted that Sehr does not disclose or suggest that data is transferable from one passenger card associated with a first passenger to another passenger card associated with another passenger. Further, it is respectfully submitted that due to security concerns related to travel, it is logical that Sehr would actually prevent such a practice. To that end, Sehr teaches away from the transferability of rights information.

Further, the Office Action relies upon Col. 6, Lines 1-14 of Sehr to teach that the right code is provided to a user offline. This section of Sehr discusses the contents of a database and indicates that some codes can be requested by users and provided by providers. However, it is respectfully submitted that this section of Sehr does not disclose that a right code is provided to a user offline.

For at least these reasons, it is respectfully submitted that Claims 1, 7-8, 14 and 21 and their respective dependent claims are each patentably distinguished over Sehr and are in condition for allowance.

With respect to Claim 27, it is respectfully submitted that Sehr does not disclose or suggest that right-information stored on a first portable electronic device is transferable by a user to a second portable electronic device associated with a second user by generating a second right code by encrypting the right-information and second verification information. It is respectfully submitted that because Sehr does not disclose or suggest transferring right-information between two users, Sehr necessarily does not disclose or suggest making such a transfer by generating a second right code as in Claim 27.

For at least these reasons, it is respectfully submitted that Claim 27 is patentably distinguished over Sehr and is in condition for allowance.

With respect to Claim 28, it is respectfully submitted that Sehr does not disclose or suggest that inputting a right code into a first portable electronic device by a user includes the user sensing the right code represented in at least one of the audible and visible form, the user manually inputting the right code into an input device of a second portable electronic device, and transmitting the right code to the first portable electronic device from the second portable electronic device. It is respectfully submitted that because Sehr does not disclose a right code being presented to a user in an audible or visible form, Sehr necessarily does not disclose or suggest the users sensing the so represented right code and manually inputting the right code into a second portable electronic device which transmits the code to the first portable electronic device.

For at least these reasons, it is respectfully submitted that Claim 28 is patentably distinguished over Sehr and is in condition for allowance.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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